



Oregon

John A. Kitzhaber, MD, Governor

Wednesday, August 24, 2011

Via Electronic Comment Filing System

Marlene Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Public Utility Commission
Residential Services Protection Fund
Telephone Assistance Program
550 Capitol St NE, Suite 215
Mailing Address: PO Box 2148
Salem, OR 97308-2148
1-800-848-4442
TTY: 1-800-648-3458
Fax: 1-877-567-1977
Web: www.rspf.org
Email: puc.rspf@state.or.us

NOTICE OF EX PARTE COMMUNICATION

Re: WC Docket No. 11-42 Lifeline and Link Up Reform and Modernization, CC Docket No. 96-45 Federal-State Joint Board on Universal Service, WC Docket No. 03-109 Lifeline and Link Up.

Dear Ms. Dortch:

On Wednesday, August 10, 2011, Jon Cray, Kay Marinos and Julie Thompson, Staff of the Public Utility Commission of Oregon ("Oregon Commission"), participated in a telephone conference call and webinar with Graham Default, Robert Finley, Jonathan Lechter, Kimberly Scardino and Jamie Susskind of the Wireline Competition Bureau relative to the Federal Communications Commission's ("FCC") efforts to reform and modernize Lifeline and Link Up. A meeting agenda is attached. Staff provided an overview of the Oregon Telephone Assistance Program ("OTAP"), which was legislatively established as the state's corollary of the federal Lifeline Link Up program in 1987. Staff gave a demonstration, via webinar, of the database that the Oregon Commission relies on to administer the Lifeline program with respect to the following:

- Initial Certification of Eligibility
- Ongoing Verification of Eligibility
- Oregon-specific Lifeline Reporting Requirements for Eligible Telecommunications Carriers ("ETCs")
- One Per Household Rule
- Duplicate Reimbursement Claims

Initial Certification of Eligibility

The Oregon Commission serves as a vital resource for customers and maintains a centralized and comprehensive role in the administration of Lifeline. The Oregon Commission staff has direct contact and experience with the customer to explain Lifeline program rules, regulations, eligibility criteria, benefits, application processes, policies and procedures. Customers also reap the benefit of obtaining information and guidance concerning their choices



as they select an Eligible Telecommunications Carrier for their Lifeline service. The Oregon Commission has an agreement with the Social Security Administration for “real-time” access to all applicants’ records in the Oregon Department of Human Services database to certify their initial eligibility for the Lifeline discount based on their participation in the Supplemental Nutritional Assistance Program or other programs for which their income does not exceed 135% of the federal poverty level.

When an applicant contacts the Oregon Commission or submits an Oregon Commission-specific Lifeline application via mail, fax or online, the Oregon Commission staff searches the Oregon Commission database using the applicant’s complete social security number followed by the phone number and the first few letters of their first and last name delineated by the red arrows in the database query screen snapshot below:

OTAP - [Search]

File Event Help

Search Type: Recipients

Search By

Search On

SSN

Phone 503

Last Name

First Name

Address

City PORTLAND

Zip Code 97

Active

Appl Type

Approve Date

Eligibility

Phone Co

Event Type

Event Date

Phone Co Error

Date Created

All SSNs

Recip. ID

SSN	Name	Phone Number	Active	Ad
...	...LE, ML	(503) ...	Yes	16

1 record(s) found

The Oregon Commission staff uses other search options (e.g., date of birth, etc.) for applicants who do not wish to divulge their social security number. If the search does not generate any results, the Oregon Commission staff populates the address as indicated by the green arrow above. If the database query shows another individual receiving Lifeline at the applicant’s address, the Oregon Commission staff creates a record, as marked by the purple arrow above, and submits a denial letter, which informs the eligible applicant that Lifeline is available for only one person in a single household.

The Oregon Commission staff accesses the applicant’s record in the Department of Human Services database to review and determine if the applicant meets the eligibility requirements for the Lifeline discount. The following redacted screen snapshot is an example of

what the Oregon Commission staff sees in “real-time” when accessing an applicant’s record in the Department of Human Services database to certify their initial eligibility. The applicant in this example is eligible for Lifeline as delineated by the red arrows that confirm their active participation in the food stamp program identified as “OP” for open and “FS” for food stamps, respectively. If the Commission database query does not initially alert the Commission staff of a duplicate address, the Oregon Commission staff creates a record and mails an approval letter to the eligible customer.

1 - DAS PUCU1 (columbia.das.state.or.us)

File Edit Transfer Fonts Options Tools View Window Help

WCIW030C Client Information (FIND) 04/15/2011 01:41 pm

Fast path EB Access Key

SSN Prime

Last First Name select

Last: First: MI: Title: Ali: Y

SSN: Prime: . GOF84298 Sex: F DOB: DOD: N

Alias Primes:

CASSES:

Type	Case	PL	IG	Prime	Br	Ld	Pr	St	Lst	Chg	Reas	Medl	Elig	File
CM	HQ5490	A	AD	GOF84298	2011	G7	D4	VP	07/13/2010		S	07/01/2010	Y	
CM	FH9357	B			1101	S5	P2	DN	09/18/2001	DD			N	
CM	GOF842	B			2002	WL	P2	AC	09/27/2004				N	
FS	2		HH		2011	G7		OP	11/30/2010				Y	
FS	2	01	HH		2011	G7		OP	11/30/2010				Y	
FS													N	
CSD	GOF8429	B			51	DV		CP	08/26/1997				Y	

OTHER:

DVP-CM: N DVP-FS: N IPV: N Bendex: Y Emp Wages: N UC: N TL: 00

EA: Prog: E2 Begin date: 08/23/1993 OHP Prem Stat: C

70000I Ready

F1=Help F2=Add F3=Exit F4=CNCT F5=Fast Path F6=Bkwd F7=Fwd F10=Prev F11=Find

F13=Access 1 F14=Access 2 F16=Prsn Updt F17=Prsn List F21=Prsn Merge F22=CASEM

1 Sess-1 159.121.106.79 ET76A398 3/12

The Oregon Commission Staff also showed a screen of a Department of Human Services record that indicates the address of an individual as homeless, but eligible for the Lifeline discount.

Due to human data entry error or because the Oregon Commission database does not employ the United States Postal Service addressing standards at this time, there are just a few instances (25 to 50 per quarter) in which the Oregon Commission staff discovers two customers receiving the Lifeline discount at the same address either with one ETC or a different ETC. Until the Oregon Commission standardizes addresses, the Oregon Commission Information Systems department, as a quality control measure, generates a quarterly report to capture this data. The Oregon Commission staff analyzes the data and, depending on the results, subsequently mails a notification letter to the customer who most recently received the Lifeline discount at the same address as the first customer. (Oregon Administrative Rule 860-033-0030(5) allows the Oregon Commission to make exceptions for certain facilities including but not limited to rooming houses

and other independent living facilities.) The letter explains that the Lifeline discount is restricted to one per household and that the Oregon Commission staff will direct their ETC to remove the Lifeline discount within 60 days unless the customer contacts the Oregon Commission for a resolution. The notification letter is not sent if the Oregon Commission staff identifies that the second Lifeline recipient was approved at the same address within the last 30 days because the ETC has yet to apply the discount. Instead, a denial letter is sent.

Ongoing Verification of Eligibility

The Oregon Commission verifies the eligibility of all Lifeline customers on a monthly basis using a secure automated electronic data interface. Each month, the Oregon Commission database interacts with the Department of Human Services database to automatically identify customers who are no longer receiving the benefits that render them eligible for the Lifeline discount. The Oregon Commission database automatically generates termination letters that are mailed to customers notifying them of their impending loss of the Lifeline discount. The termination letter explains to the customer that the Oregon Commission will instruct their ETC to discontinue or remove the Lifeline discount from their account or service the following month. The customer can avoid the termination of their Lifeline discount within the allotted twenty-day grace period if they contact and prompt the Oregon Commission staff to verify that they are once again receiving the benefits that qualify them for the Lifeline discount. The Oregon Commission staff is currently evaluating the effectiveness of performing the automated verification on a quarterly basis.

Oregon-specific Lifeline Reporting Requirements for Eligible Telecommunications Carriers ("ETCs")

A report of all new Lifeline applicants approved by the Oregon Commission staff each week is generated by the Oregon Commission's Information Systems department and electronically sent to the customer's respective ETC the following week to apply the discount. In response, all ETCs are required to identify and report to the Oregon Commission staff customers the ETC believes is not eligible for the Lifeline discount. The screen snapshot below illustrates an ETC's notification to the Oregon Commission staff that the approved applicant is not eligible because their name is not on the account.

BTN	SSN	Last Name	Fist Name	Middle Name	Address	City	State	ZIP	Effective Date	Org ID	Recipient	Action Taken
503	Approved					BEAVERTON	OR	97005	8/8/2011			NAME NOT ON ACCT

In these cases, the Oregon Commission staff issues a denial letter to the customer offering alternatives for the customer to rectify the discrepancy in order to receive the Lifeline discount.

ETCs are required to submit to the Oregon Commission staff an "Order Activity" report that lists Lifeline customers whose service with the ETC was disconnected or whose address or

phone number has changed. The Oregon Commission staff relies on this report to maintain the integrity of customer data in the Oregon Commission database. This report is essential in the enforcement of the FCC's one discount per household rule and minimizes potential customer service delays if the Oregon Commission staff receives an application that lists the address of another customer already receiving the Lifeline discount at the same address. The following is an example of an "Order Activity" report provided to the Oregon Commission staff by an ETC.

Beaver Creek Cooperative Telephone Company (BCT) had 2 OTAP customers disconnect in the last few months:

Robert [REDACTED], [REDACTED] Rd, Mulino, OR 503-[REDACTED] disconnected 6/22/10
Josabet [REDACTED] [REDACTED] Rd, Oregon City, OR 503-[REDACTED] disconnected 5/17/10

The following OTAP customer changed their phone number:

Vernon [REDACTED] [REDACTED], Oregon City. Changed his number from 503-[REDACTED] to 503-[REDACTED] on 5/28/10.

The Oregon Commission staff relies on all ETCs to provide a listing of all their customers actively receiving the Lifeline discount to compare with the records in the Oregon Commission database to verify that the ETC enrolled only the Oregon Commission-approved customers for the Lifeline discount. The "Active Customer" report serves to ensure that the ETC does not enroll an ineligible customer for the Lifeline discount. When customers contact the Oregon Commission and claim that they are not receiving the Lifeline discount, the Oregon Commission staff uses the listing from the ETCs as a tool to corroborate customers' claims before proceeding with the next appropriate course of action.

All reports are provided to the Oregon Commission staff on a monthly or quarterly basis depending on the number of Lifeline customers each ETC has pursuant to Oregon Administrative Rule 860-033-0046.

One Per Household Rule

As discussed throughout this Notice of Ex Parte, the Oregon Commission staff uses the Oregon Commission database and reports from ETCs in its efforts to enforce and educate customers about the one per household rule.

Duplicate Reimbursement Claims

The Oregon Commission staff mails a duplicate letter to Lifeline applicants who are identified in the Oregon Commission database as already receiving the Lifeline discount from another ETC. The duplicate letter provides an opportunity for the applicant to contact the Oregon Commission if they wish to discontinue the Lifeline discounts with one ETC and receive it with another ETC. When a customer elects this course of action, the Oregon Commission staff notifies the original ETC to remove the OTAP/Lifeline discount and notifies the other ETC to apply the Lifeline discount to the customer's account or service. This feature of the Oregon

Commission database minimizes the risk of duplicate reimbursement claims to the federal Universal Service Fund from ETCs. For example, the customer in the record snapshot below applied for the Lifeline discount with Qwest Communications. However, the customer's "active" record indicates they are already receiving the Lifeline discount from Cricket Communications, Inc. Prior to mailing the duplicate letter, the Oregon Commission reviews the "Active Customer" report to corroborate that the customer is indeed receiving the Lifeline discount from their original ETC as a precautionary measure.

OTAP - [Recipient Information]

File Event Help

Search View Add Edit Preview Print

Detail Events Attachments Prev Next

Recipient

SSN: [REDACTED] Phone: (503) [REDACTED] Language: ENGLISH DOB: 12/25/1940 ☒ Active ☐ Disconnect

Prefix: [REDACTED] First Name: [REDACTED] Middle: [REDACTED] Last Name: [REDACTED] Pending: ☐ Suffix: [REDACTED] Special Case: ☐

Address

Type	Address	City	State	Zip
ST	[REDACTED]	PORTLAND	OR	97207

☒ Show Only One Previous Address

Contacts

Type	Full Name	Phone	SSN

Application Type: ONLINE APP Request Date: 8/29/2003 Printed Date: 8/29/2003

AES Eligibility: FOOD STAMPS Effective Date: 9/9/2003 ☒ OTAP ☒ Link Up

Phone Company: CRICKET COMMUNICATIONS INC

Other Discussion Items

We also briefly discussed the following items:

- The impact a national database may have on the Oregon Commission's system, which the Oregon Commission Staff believes accomplishes and exceeds the objective of FCC Lifeline regulations while avoiding the occurrence of duplicate claims of support.
- The need for sufficient lead time to amend existing Oregon statutes and to address administrative changes if the FCC adopts the proposal in which eligibility for Lifeline is based on income at or below 150 percent of the federal poverty level. Lifeline eligibility in Oregon is based on program participation and not income per se.
- The Oregon Commission Staff is exploring effective methods that do not require applicants to have established service with an ETC prior to applying for Lifeline.
- Oregon Administrative Rule 860-033-0110 requires ETCs to render the availability of Lifeline discounts on any service offering that includes voice service. This rule enables customers to apply their Lifeline support to the same plans that are available to their non-Lifeline counterparts. Under this approach,

Lifeline customers can choose plans that best fit their individual needs and are not restricted to just one plan.

Our comments in this regard were consistent with prior comments filed by the Oregon Commission on April 21, 2011. Pursuant to § 1.1206(b) of the FCC's rules, this letter is being filed electronically. Please contact the undersigned with questions or concerns.

Respectfully,



Jon Cray

Oregon Commission Residential Service Protection Fund ("RSPF") Program Manager

jon.cray@state.or.us

503-373-1400

Cc: Graham Dufault
Robert Finley
Jonathan Lechter
Kimberly Scardino
Jamie Susskind

Rick Willis, Oregon Commission Executive Director
David Poston, Oregon Commission Central Services Division Administrator
Kay Marinos, Oregon Commission Telecommunications Division Program Manager, Competitive Issues
Julie Thompson, Oregon Commission RSPF Administrative Specialist

Att. Teleconference and Webinar Meeting Agenda

**Federal Communications Commission (FCC)
Oregon Public Utility Commission (OPUC)**

Lifeline Conference Call/Webinar

Wednesday, August 10, 2011

10 a.m. to 11 a.m. PST / 1 p.m. to 2 p.m. EST

Call-in Number: 503-378-8969

<https://oregonpuc.ilinc.com/join/ccjhzst>

OPUC Staff

Jon Cray
Kay Marinos
Julie Thompson

FCC Staff

Graham Dufault
Robert Finley
Jonathan Lechter
Kimberly Scardino
Jamie Susskind

AGENDA

- I. Introductions
- II. General Overview - Oregon Telephone Assistance Program (OTAP)/Lifeline
- III. Certification of Initial Eligibility - OTAP/Lifeline Application Process & Database
- IV. OTAP/Lifeline Reports from Eligible Telecommunications Carriers
- V. Monthly or Quarterly Verification of Eligibility for OTAP/Lifeline
- VI. OTAP/Lifeline One Per Household and Duplicate Claims
- VII. Questions or Comments